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January 4, 2011

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VIA ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Federal-State Joint Board on Universal Service, High Cost Universal
Service Support, CC Docket No. 96-45, WC Docket No. 05-337

Connect America Fund, WC Docket No. 10-90

National Broadband Plan, GN Docket No. 09-51

Dear Ms. Dortch:

A recent study released by the Communications Workers of America (“CWA”) shows that the people of Puerto Rico experience slower broadband speeds than any state in the nation.¹ This evidence further bolsters the record in the above-referenced proceedings, which already shows that Puerto Rico needs additional universal service support for broadband infrastructure in order to eliminate the increasing digital divide between the island and the mainland United States.

Through its Speed Matters Test, CWA measured the speed of users’ Internet connections. Based on aggregated data from Internet users across the United States, CWA found that the median broadband speed in the United States was 3 Mbps down/0.60 Mbps up.² CWA found that 51 percent of Americans experience speeds at or above the Commission’s designated broadband threshold of 4 Mbps down/1 Mbps up – the minimum speed generally required for using today’s video-rich broadband applications and services while retaining sufficient capacity for basic

¹ Speed Matters – Affordable High Speed Interest for America, A Project of the Communications Workers of America, A Report on Interest Speeds in all 50 States – 2010, *available at* <http://www.SpeedMatters.org/2010Report>. (“CWA Report”).

² *Id.* at 1.

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web browsing and email.³ CWA further found that all but two U.S. states had median download speeds of 2.3 Mbps or above (and the two that did not had average download speeds above 1 Mbps).⁴

But the island territory of Puerto Rico fell far below this level. Speed tests across the island reveal that 90 percent of Puerto Rico residents experience speeds below the FCC's designated threshold.⁵ And the average broadband speed on the island is about one-quarter of the national average at 0.93 Mbps down/0.41 Mbps up.⁶ Indeed, Puerto Rico ranks 52nd out of 53 U.S. jurisdictions in terms of broadband speed – or, slower than any state or the District of Columbia – with a number of users experiencing download speeds slower than 768 kbps.⁷

This new information further confirms that Puerto Rico continues to lag far behind the rest of the nation in terms of critical communications services. By any metric, Puerto Rico always seems at the bottom of the list – telephone subscribership, broadband subscribership, broadband infrastructure, availability of advanced broadband services and now speed of available broadband. Puerto Rico plainly needs funding to support the build out and/or upgrading of communications infrastructure. Rather than continue to allow the people of Puerto Rico to be denied the economic, social, political, health, and educational benefits of advanced broadband access, the Commission should take immediate steps to address this disparity – which the Commission has recognized in its *Sixth Broadband Deployment Report*.⁸ The Commission should either grant the pending petition for

³ *Id.*; see also *Connect America Fund*, Notice of Inquiry and Notice of Proposed Rulemaking, 25 FCC Rcd 6657, ¶ 9 (2010) (citing the National Broadband Plan recommendations for the target broadband threshold).

⁴ CWA Report at 61-63.

⁵ *Id.* at 47.

⁶ *Id.*

⁷ *Id.* Indeed, the only area with download speeds lower than Puerto Rico was the Virgin Islands, another insular area (0.56 Mbps down/0.46 Mbps up). *Id.* at 55.

⁸ *Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996, as Amended by the Broadband Data Improvement*



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reconsideration of Puerto Rico Telephone Company, Inc. ("PRT") to quickly and directly support the deployment of wired broadband infrastructure on the island,⁹ or, as PRT has advocated, the Commission should establish a pilot program that efficiently distributes funding to advanced broadband providers in Puerto Rico on an accelerated basis.¹⁰ Only with adequate universal service support for broadband infrastructure will the people of Puerto Rico gain the chance to catch up to the rest of the nation and reach the FCC's goal of ubiquitous broadband deployment.

Sincerely,

/s/ Nancy J. Victory

Nancy J. Victory

Counsel for Puerto Rico Telephone Company, Inc.

cc: Chairman Julius Genachowski
Commissioner Michael Copps
Commissioner Mignon Clyburn
Commissioner Meredith Atwell Baker
Commissioner Robert McDowell

Act, A National Broadband Plan for Our Future, GN Docket No. 09-137, GN Docket No. 09-51, FCC 10-129, Sixth Broadband Deployment Report, 50 CR 1402 (rel. Jul. 20, 2010).

⁹ See Petition for Reconsideration of Puerto Rico Telephone Company, Inc., CC Docket No. 96-45 and WC Docket No. 05-337 (filed Apr. 27, 2010).

¹⁰ See Comments of Puerto Rico Telephone Company, Inc. WC Docket No. 10-90 (filed Jul. 12, 2010).